

**REMARKS:**

In the outstanding Office Action, the Examiner rejected claims 12, 14, 15, 17, 18, 20, 21, 23, and 25. According to the foregoing the claims are amended and cancelled without disclaimer or prejudice, and thus pending claims remain for reconsideration.

No new matter is presented.

The rejections are traversed below.

Claims 12, 14, 15, 17, 18, 20, 21, 23 and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,684,195 (Deaton) in view of Official Notice. According to the foregoing, dependent claims 14, 17, 29, and 21 are amended into independent form and independent claim 25 is amended.

Support for the claimed embodiments can be found at least at paragraph 239 of the present application.

In the system of Deaton, incentive coupons are issued in accordance with the customer's shopping history within a certain past term. Based on this, the Examiner contended, in item 5 of the above-mentioned "Response to Arguments", that Deaton column 103, lines 50-63 teaches a reduction of the value of accumulated incentives if the customer doesn't satisfy the criteria or buys the items or services within the pre-selected time period.

On the other hand, in the claimed embodiment, the reduction of the issued points is executed during a time when the electronic information service is being provided on a time-by-time basis, as in the amended independent claims. More particularly, using claim 1 as an example, the claimed embodiments provide "decreasing the cumulative points proportionally to elapse of time during a time an electronic information service is provided to a customer terminal; and service providing means for providing at least any of video information, voice information, software information, music information and database information as the electronic information service to the customer terminal through a communication circuit, wherein the point accumulation means provides information for displaying the decreased customer's cumulative points on a screen of the customer terminal during the time the electronic information service is provided to the customer terminal."

By doing so, the issued points are decreased by just the points corresponding to the amount of service provided to users. Therefore, the claimed embodiments provide an example benefit of avoiding the unreasonable case where the issued points are reduced regardless of

whether the user obtained a part of electronic information or full electronic information. For example, there is, sometimes, a case where a user stops obtaining electronic information before obtaining full electronic information, if the user finds that the electronic information being received is useless or when the user must stop receiving the electronic information suddenly for some reason. In other words, there may be a case where the user pays full charges even though the user stops the reception of the electronic information, which is unreasonable.

As mentioned in REMARKS of the response to the previous Office Action, Deaton generates a coupon for a customer to shop at the delicatessen. Therefore, Deaton does not provide any evidence to support a scenario in which a part of food to which the coupon is applied is purchased or all of the food is purchased, and the coupon is redeemed according to such partial purchase. In Deaton only the later case occurs. However, the system of the claimed embodiment is applicable even in the former case.

Further, Deaton mentions no case where even a part of coupons is used. Therefore, it can be said that Deaton deals with no such case where a part of coupons is utilized in accordance with the amount of products consumed by the user, as in the above amended independent claims.

Furthermore, it is one of the advantages of the present invention to watch and confirm the current issued points, for the user, while the points are decreased in real-time by the use of the service. Therefore, the user can make a reasonable decision as to whether the receiving electronic information service should be stopped suddenly or the receiving electronic information service should be continued according to a predetermined decision standard relating to a degree of satisfaction and a degree of usefulness with respect to the electronic information being served.

A prima facie case of obviousness based upon Deaton cannot be established, because Deaton fails to disclose, either expressly or implicitly, the claimed embodiments. As discussed above, Deaton does not expressly disclose the claimed embodiments. Further, Deaton does not implicitly disclose the claimed embodiments, because there is no evidence that one skilled in the art would modify Deaton coupon issuance to provide the claimed "decreasing the cumulative points proportionally to elapse of time during a time an electronic information service is provided to a customer terminal; and ... displaying the decreased customer's cumulative points on a screen of the customer terminal during the time the electronic information service is provided to the customer terminal." There is no evidence that one skilled in the art would modify Deaton to

decrease issued points while (during a time) a customer uses an electronic information service, and display on the screen of a customer terminal the status in which the issued points are decreased in accordance with the consumption of the points in a state while the electronic information service is being provided, and seen a benefit of allowing a customer to see point consumption while receiving an electronic service. An example benefit of the claimed embodiments is that a user can make a reasonable decision as to whether the receiving electronic information service should be immediately stopped or the receiving electronic information service should be continued according to a predetermined decision standard relating to a degree of satisfaction and a degree of usefulness with respect to the electronic information being served. In other words, a benefit of the claimed embodiments is to watch and confirm the current issued points, for the user, while the points are decreased in real-time by the use of the electronic service.

The Examiner acknowledges that Deaton does not teach that the service or item are electronically provided via a computer terminal, but indicates that an Official Notice is taken that it is old and well know in computer related arts to provide services electronically such as video information, software, music and database information to the customer via the customer's PC in order to provide convenience to the customer. Although the Examiner could take official notice of facts not in the record to reject claims, the MPEP, as discussed in the previous response, indicates that such rejections should be judiciously applied. As pointed out in the previous response, Applicants respectfully point out that the Official Notice is not properly based upon common knowledge and request the Examiner to support the finding, and the Official Notice is hereby challenged by casting reasonable doubt that the claimed combination of providing an electronic information service, decreasing issued points while (during a time of) providing the service and displaying the point decrease while (during a time of) providing the service, is capable of instant and unquestionable demonstration (MPEP 2144.03).

For at least the above-mentioned reasons, the claims are allowable over the cited references.

Therefore, withdrawal of the rejection is respectfully requested.

#### **ENTRY OF AMENDMENT**

Applicants respectfully request entry of amendments to the claims because the amendments were made to clarify features in the claims and do not introduce significant changes that would require a further search.

**CONCLUSION**

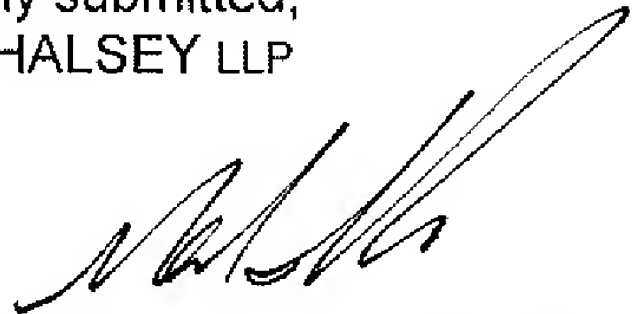
There being no further outstanding objections or rejections, it is respectfully submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,  
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